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FACSIMILE TRANSMISSION COVER SHEET

1375 EAST NINTH STREET  
ONE CLEVELAND CENTER  
TENTH FLOOR  
CLEVELAND, OH 44114  
216.615.4832 DIRECT  
216.623.0150 MAIN  
216.623.0134 FAX  
jscott@ralaw.com

DATE: June 1, 2004

TO: Robert R. Raevis

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FROM: James C. Scott, Roetzel & Andress

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FACSIMILE INSTRUCTIONS

FAX NUMBER: 703.872.9306

CLIENT/MATTER NUMBER: 109788.0008

ID#: 747

COMMENTS

Dear Examiner Raevis,

Please see the attached Response to Restriction Requirement.

CLEVELAND TOLEDO AKRON COLUMBUS CINCINNATI WASHINGTON, D.C. TALLAHASSEE FORT MYERS NAPLES

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

IN RE APPLICATION OF : Roger A. Pyle, et al.  
FOR : DEVICES AND METHODS FOR  
APPLYING KNOWN RESISTANCE  
LOADS AND MEASURING INTERNAL  
ANGLES OF GYRATION IN GYRATORY  
COMPACTORS  
APPLICATION NO. : 10/721,151  
FILED : November 24, 2003  
DOCKET NO. : 109788.0008

**RESPONSE TO RESTRICTION REQUIREMENT**

VIA FACSIMILE 703.872.9306  
Mail Stop Non Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Restriction Requirement dated May 13, 2004.  
Applicant elects the following species:

**Figure 7A as shown, and the corresponding claim numbers 11-14, 16-18 and 21-26.**

Reconsideration and withdrawal of the Restriction Requirement with respect to the distinction between Figures 7A and 7B is requested. Both of these Figures illustrate the inventive combination of an internal angle measurement device and a loading device in a mold. The invention functions to apply a known moment force to a gyratory compactor and to measure an internal angle of gyration, regardless of the relative arrangement of the internal angle measurement device and the loading device and mold plates within a mold. Furthermore, there is no other purpose or function of this combination of components in either arrangement to substantiate a finding of patentably distinct inventions.

PATENT

For any fees necessitated with this response, please charge to our Deposit Account No.  
50-0959 (109788.0008).

Respectfully submitted,  
ROETZEL & ANDRESS

JUNE 1, 2004

Date



James C. Scott  
Reg. No. 35,351  
1375 E. 9<sup>th</sup> Street  
One Cleveland Center, 9<sup>th</sup> Floor  
Cleveland, Ohio 44114

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